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February 6, 1995

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BY HAND DELIVERY

Mr. William F. Caton Acting Secretary Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554

Re: MM Docket Nos. 92-266

Dear Mr. Caton:

On behalf of fX Networks, Inc., we enclose for filing a corrected page to be associated with the Comments in Support of Continental Cablevision's Petition for Reconsideration filed February 3, 1995. We have underlined on the enclosed page the revision -- the addition of the word "more" -- which was necessitated by a typographical error in the submission on February 3, 1995.

If there are any questions regarding the enclosed submission, please contact the undersigned.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

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Attorneys for fX Networks, Inc.

Enclosure

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We understand and support Continental's assertion that all operators should receive some flexibility in the establishment of new product tiers. Nevertheless, we speak from a programmer's perspective, alone.

Continental's suggestion that all operators be permitted to migrate up to four services to new product tiers would go a long way toward removing the current unintended, but clearly-existent, regulatory bias against new general interest cable networks. Limited migration would help to reestablish a pro-competitive environment for new cable networks, particularly new general interest networks which by their very nature have broader audience appeal but also higher associated programming costs than niche services. We, at fX, do not underestimate the value of the myriad of new, mostly niche channels newly being offered to viewers. What we strongly object to is a regulatory structure which — no matter how inadvertently — has the effect of fostering only niche services while effectively foreclosing any competition to entrenched basic cable services.

First, permitting operators to migrate existing services from regulated tiers would provide potential openings on high-penetration, regulated tiers for new programming services which may be <u>more</u> attractive to a broader base of viewers than many services now on regulated tiers. New programming services should be able to earn their way onto regulated tiers based on the merits of their programming. Put simply, if viewers vote for fX (with their feet or, more likely, their remotes), we should not be shut out of "already full" basic tiers. Viewers would benefit, in the first instance, because cable operators would be free to place networks with the most popular appeal on lower

CERTIFICATE OF SERVICE

I, Peggy E. Gelinas, a secretary at the law firm of Hogan & Hartson L.L.P., hereby declare that the foregoing letter was sent on this 6th day of February, 1995, by first class mail, postage pre-paid, to the following:

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